

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

GREGORY A. BRAKE,

Plaintiff,

vs.

RESER'S FINE FOODS, INC., et al.,

Defendants.

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Case No. 4:08CV1879 JCH

**ORDER**

This matter is before the Court upon the parties' Motion to Modify Case Management Order, filed December 10, 2009. (Doc. No. 85). Upon consideration, the Court will grant the Motion, in part.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion to Modify Case Management Order (Doc. No. 85) is **GRANTED**, in part.

**IT IS FURTHER ORDERED** that Plaintiff shall disclose all expert witnesses and shall provide reports required by Fed.R.Civ.P. 26(a)(2), no later than **March 12, 2010**, Plaintiff shall produce his expert witnesses for deposition on or before **April 12, 2009**.

**IT IS FURTHER ORDERED** that Defendants shall disclose all expert witnesses and shall provide reports required by Fed.R.Civ.P. 26(a)(2), no later than **May 12, 2010**, and shall make expert witnesses available for deposition, and have depositions completed no later than **June 11, 2010**.

**IT IS FURTHER ORDERED** that requests for physical or mental examinations of parties pursuant to Rule 35, Fed.R.Civ.P., must be made no later than **March 12, 2010**, and any exam must be completed by **April 12, 2009**.

**IT IS FURTHER ORDERED** that the parties shall complete all discovery in this matter no later than **July 1, 2010**.

**IT IS FURTHER ORDERED** that this case shall be referred to alternative dispute resolution on **July 15, 2010**, and that reference shall terminate on **September 15, 2010**.

**IT IS FURTHER ORDERED** that any motions to dismiss, motions for summary judgment, motions for judgment on the pleadings, or, if applicable, any motion to exclude testimony pursuant to Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993) or Kuhmo Tire Co. Ltd. v. Carmichael, 526 U.S. 137 (1999), must be filed no later than **July 26, 2010**. Any response shall be filed no later than **August 26, 2010**. Any reply shall be filed no later than **September 13, 2010**.

**IT IS FURTHER ORDERED** that this matter is set for a **JURY** trial on **Monday, October 4, 2010** at **9:00 a.m.** in the courtroom of the undersigned.

**IT IS FURTHER ORDERED** that all other deadlines from this Court's original Case Management Order (Doc. No. 74) shall remain in effect.

Dated this 14th day of December, 2009.

/s/ Jean C. Hamilton

UNITED STATES DISTRICT JUDGE